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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,894	12/02/2003	Ajit Dubhashi	IR-2427 (2-3808)	4168
7590	06/08/2005		EXAMINER	
OSTROLENK, FABER, GERB & SOFFEN, LLP 1180 Avenue of the Americas New York, NY 10036-8403			TIBBITS, PIA FLORENCE	
			ART UNIT	PAPER NUMBER
			2838	
DATE MAILED: 06/08/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/726,894	DUBHASHI, AJIT	
	Examiner Pia F. Tibbits	Art Unit 2838	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 25 May 2005.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 6-20 is/are pending in the application.
- 4a) Of the above claim(s) 15-20 is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) \_\_\_\_\_ is/are rejected.
- 7) Claim(s) 6-14 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____ .

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### **DETAILED ACTION**

This Office action is in answer to the RCE and amendment filed 5/25/2005. Claims 1-5 are canceled, claims 15-20 are withdrawn, while claims 6-20 are pending, of which claims 6 and 12 are amended.

1. Applicant made an oral election with traverse of claims 1-14, which was acknowledged in the non-final Office action mailed on April 27, 2004. In the subsequent final action mailed 8/31/2004, applicant's election of Group I, claims 1-14, was acknowledged, and applicant was informed that since applicant did **not** distinctly and specifically point out the supposed errors in the restriction requirement, the election was treated as an **election without traverse**. **MPEP 818.03**. The requirement is still deemed proper and is therefore made **FINAL**. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144). See MPEP § 821.01.

#### ***Allowable Subject Matter***

2. Claims 6-14 are allowed.

With respect to claims 6-11: none of the references of record prior to applicant's filing date discloses, teaches, or suggests a battery assembly system comprising, *inter alia*, a charging/discharging unit for charging or discharging one of the plurality of storage batteries so as to equalize the SOC of the storage batteries calculated by a SOC calculator, respectively, and a deviation judging unit for judging whether a maximum value of the deviation of the SOC of each storage battery calculated by the SOC calculator exceeds a predetermined value, wherein the charging/discharging unit is capable of being connected selectively to each of the plurality of storage batteries, and when the deviation judging unit judges that the maximum value of the deviation of the SOC of each storage battery exceeds the predetermined value, the charging/discharging unit charges or discharges at least one of the plurality of storage batteries.

With respect to claims 12-14: none of the references of record prior to applicant's filing date discloses, teaches, or suggests a battery assembly system comprising, *inter alia*, a charging/discharging unit for charging or discharging one of the plurality of storage batteries so as to equalize the SOC of the storage batteries calculated by a SOC calculator, respectively, and a deterioration detector for detecting a

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storage battery with deteriorated performance among the plurality of storage batteries , wherein the charging/discharging unit is capable of being connected selectively to each of the plurality of storage batteries.

***Conclusion***

3. This application is in condition for allowance except for the above-mentioned matters: a shortened statutory period for reply to this action is set to expire **ONE MONTH** from the mailing date of this Office action.
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Pia Tibbits whose telephone number is (571) 272-2086. If unavailable, contact the Supervisory Patent Examiner Mike Sherry whose telephone number is (571) 272-2084. The Technology Center Fax number is (703) 872-9306.
5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PFT

June 6, 2005

Pia Tibbits

Primary Patent Examiner

